

Please add new Claim 13 as follows:

B2 *sub C1*
13. The device of Claim 1 wherein the support member is adapted to be worn on the head of the person so that alignment beam of light provides an indication of alignment of the person's eyes.

14. The device of Claim 13 wherein the alignment beam is visible on the ground during a golf putting stroke.

REMARKS

Claims 1, 2, 13 and 14 remain before the Examiner for reconsideration.

In the Office Action dated January 19, 2000, the Examiner rejected Claims 1 and 2 under 35 U.S.C. Section 103(a) "as being unpatentable over Harkness [U.S. Patent No. 5,467,992] in view of Bursi [U.S. Patent No. 5,443,266]." Specifically, the Examiner asserted that:

Harkness discloses a device support member worn around a person's body and an attached laser light (abstract) generating a linear alignment beam of light visible to the person to provide an alignment of the person's body when in position to perform the task as stated in claims 1 and 2 (figs. 2 and 3). Harkness also discloses a cylindrical lens and positions of the lens directing the beam of light as in claim 2 (fig 4 and col 3, lines 20-26). Harkness does not disclose a belt. However Bursi teaches a belt worn around a portion of a person (fig. 3). In view of such teachings it would have been obvious for anyone skilled in the art to modify the invention of Harkness with that of Bursi to provide a new look for the golfing aid.

Applicant's respectfully traverse the Examiner's assertion.

Harkness discloses the use of a light spot projected onto the ground to aid a golfer in observing head movement during a golf swing. The laser of Harkness is attached to a golfer's visor or hat to generate a light spot. See, for example, Figures 1 and 2 of Harkness. Contrary to the Examiner's assertion, Harkness does not disclose or suggest generating or projecting a generally linear alignment beam on a surface to provide an indication of alignment of a portion of a person's body. Indeed, absolutely no information regarding the alignment of the user's body is provided by the light spot of Harkness. Movement of the light spot of Harkness simply indicates to the user that the user's head has moved.

On the other hand, the present invention generates a generally linear alignment beam on a surface (for example, the ground) to provide direct and accurate information regarding the alignment of the user's body.

Contrary to the Examiner's assertion, Harkness does not disclose or suggest a generally cylindrical lens positioned transversely to a light beam emanating from the laser to create a planar beam of light which forms the generally linear, alignment beam as claimed in the present invention. Harkness merely discloses a lens 15 that "may be fastened to the free end of the laser 14 to further focus the light spot 16 if desired." Col. 3, lines 24-26.

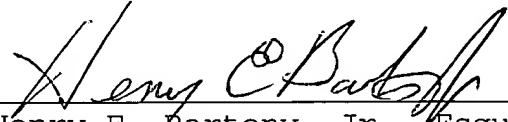
Bursi does not overcome the deficiencies of Harkness set forth above. Bursi discloses sound producing tabs attached to a body strap and an arm band to provide an audio signal as the sound tabs strike together during the execution of a proper down swing and does not provide any indication of body alignment. See Abstract. Bursi is completely irrelevant to the present invention.

Applicant is the first to generate or project a generally linear beam of light from a light source attached to a person onto a surface to provide a simple, visual indication of the alignment of the person's body that can be easily seen by the person in real time. This result is a significant improvement in the art.

In view of the above amendments and remarks, the Applicant respectfully requests that the Examiner withdraw the rejection of the claims, indicate the allowability of Claims 1, 2, 13 and 14 and arrange for an official Notice of Allowance to be issued in due course.

Respectfully submitted,

CHRISTOPHER M. MACROGLOU

By 
Henry E. Bartony, Jr., Esquire
Reg. No. 34,772

Bartony & Hare
Law & Finance Building, Ste. 1801
429 Fourth Avenue
Pittsburgh, Pennsylvania 15219
412-338-8632 (telephone)
412-338-6611 (fax)
Attorney for Applicant